

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.* State Engineer,
Plaintiff,

69cv07896-BB
RIO TAOS ADJUDICATION

- v-

EDUARDO ABEYTA, *et al.* &
CELSO ARELLANO, *et al.*,
Defendants.

69cv07939-BB
RIO HONDO ADJUDICATION
Consolidated

Section: Rio Pueblo de Taos
Ditch: Acequia Madre del Sur del Canon

ORDER APPLYING PRIORITY DATE FOR ACEQUIA
MADRE DEL SUR DEL CANON TO INDIVIDUAL SUBFILES

In the May 13, 2002 Memorandum Opinion and Order (Docket No. 3026), the Court clarified procedures for determining subfile priority dates and stated that acequia-wide priority dates are to be applied to the water rights they serve. Each claimant has had an opportunity to prove an earlier priority date during the subfile phase and objectors will have the opportunity to prove later priority dates during the *inter se* phase. (No. 3026) On November 18, 2005, the Court entered a Memorandum Opinion and Order (No. 4701) that adopted a priority date of 1796 for the Acequia Madre del Sur del Canon.

This Order applies the priority date adopted for the Acequia Madre del Sur del Canon to each subfile irrigation water right it serves. The acequia-wide priority date does not apply to supplemental irrigation wells or springs, nor does it apply to individual subfile water rights previously denied by the Court. All water right claims denied have a priority date of "None." Subfile priority dates are listed in Exhibit A attached to this Order.

It is therefore ordered that the 1796 priority date adopted for Acequia Madre del Sur del Canon is applied to individual subfile water rights as set forth in Exhibit A.



BRUCE D. BLACK
UNITED STATES DISTRICT JUDGE

EXHIBIT A
ACEQUIA MADRE DEL SUR DEL CANON

Individual Subfile Priority Dates	
Subfile Number	Priority Date
20.1	1796
20.10	1796
20.11	1796
20.11A	1796
20.13	1796
20.14	1796
20.15	1796
20.16	1796
20.17	1796
20.18	1796
20.19	1796
20.2	1796
20.20	1796
20.21	1796
20.22	1796
20.23	1796
20.24	1796
20.25	1796
20.25A	1796
20.25B	1796
20.25C	1796
20.26	1796
20.27	1796
20.28	1796
20.29	1796
20.3	1796
20.30	1796
20.31	1796
20.32	1796
20.33	1796
20.34	1796
20.35	1796
20.36	1796
20.37	1796
20.37A	1796
20.38	1796
20.39	1796
20.3A	1796
20.4	1796
20.40	1796
20.41	1796
20.42	1796

Individual Subfile Priority Dates	
Subfile Number	Priority Date
20.42A	1796
20.43	1796
20.44	1796
20.45	1796
20.46	1796
20.47	1796
20.48	1796
20.48A	1796
20.49	1796
20.5	1796
20.50	1796
20.51	1796
20.52	1796
20.53	1796
20.54	1796
20.55	1796
20.56	1796
20.57	1796
20.58	1796
20.59	1796
20.6	1796
20.60	1796
20.61	1796
20.62	1796
20.62A	1796
20.63	1796
20.63A	1796
20.64	1796
20.65	1796
20.66	1796
20.67	1796
20.68	1796
20.69	1796
20.69A	1796
20.7	1796
20.70	1796
20.71	1796
20.72	1796
20.73	1796
20.73A	1796
20.74	1796
20.74A	1796

Individual Subfile Priority Dates	
Subfile Number	Priority Date
20.74B	1796
20.75	1796
20.76	1796
20.77	1796
20.78	1796
20.79	1796
20.8	1796
20.80	1796
20.80A	1796
20.81	1796
20.81A	1796
20.82	1796
20.83	1796
20..83B	1796
20.84	1796
20.85	1796
20.86	1796
20.86A	1796
20.87	1796
20.88	1796
20.89	1796
20.8A	1796
20.9	1796
20.90	1796
20.91	1796
20.92	1796
20.93	1796
20.94	1796
20.95	1796
20.96	1796
20.97	1796
20.98	1796
20.9A	1796